

## **IN THE CLAIMS**

Please amend claims 1-3, 16-18, and 35-37 as indicated below.

1. (Currently Amended) A method of managing overload in a server system, having a service operating in response to input requests, and a server operation parameter related to the operation of said service, the method comprising the steps of :
  - a. monitoring successive values of the server operation parameter as a function of time,
  - b. from such values,
    - b1. evaluating a first condition, which involves whether the server operation parameter passes a first threshold value in a first direction, and
    - b2. evaluating a second condition, which involves whether the server operation parameter passes a second threshold value in a second direction, wherein the second condition includes determining that the second direction is opposite to the first direction, and extends from the first threshold value to the second threshold value,
  - c. starting rejection of input requests, upon verification of a third condition, ~~related to the verification of at least one of said first and second conditions, wherein the third condition comprises (i) determining a predetermined grace period subsequent to verification of the first condition has elapsed, and (ii) determining the second condition has not been verified during said grace period;~~ and
  - d. terminating rejection of input requests upon verification of a fourth condition, related to the verification of said second condition.

2. (Currently Amended) The method of claim 1, wherein ~~the third condition of step c. comprises the fact the first condition has been verified, and~~ the fourth condition of step d. comprises ~~the fact~~ determining the second condition has been verified.

3. (Currently Amended) The method of claim 1, wherein ~~the third condition of step c. comprises the fact the second condition has not been verified during a grace period after the first condition has been verified, and~~ the fourth condition of step d. comprises ~~the fact~~ determining the second condition has been verified after the third condition has been verified.

4. (Original) The method of claim 1, wherein step b1. is performed at a first rate, and step b2. is performed at a second rate, not lower than the first rate.

5. (Original) The method of claim 4, wherein step b2. is performed within a time period starting upon verifying the first condition at step b1., and terminating upon verifying the fourth condition at step d.

6. (Original) The method of claim 1, wherein said server operation parameter represents a quantity related to a memory usage in the server.

7. (Original) The method of claim 1, wherein said server operation parameter represents a quantity related to the server throughput and to the server latency.

8. (Original) The method of claim 7, wherein step a. comprises deriving the server operation parameter from a given combination of the server throughput with the server latency.

9. (Original) The method of claim 8, wherein step a. further comprises :

a1. maintaining a reference value of the server throughput and a reference value of the server latency, said reference values being updated upon verification of a fifth

condition, comprising the fact that the current value of the server throughput does overlie its reference value, and

- a2. deriving a reference value of said server operation parameter from a combination of the reference value of the server throughput with the reference value of the server latency, said combination being of the same nature as said given combination .

10. (Original) The method as claimed in claim 8, wherein said server operation parameter is derived from the ratio of the server throughput to the reference value of the server latency and said reference value of the server operation parameter is derived from the ratio of the reference value of the server throughput to the reference value of the server latency.

11. (Previously Presented) The method of claim 9, wherein the fifth condition further comprises the fact that the current value of the server latency does not overlie its reference value.

12. (Original) The method of claim 11, wherein the fifth condition further comprises the fact that the server requests queue length remains substantially constant.

13. (Original) The method of claim 9, wherein said first and second threshold values are derived from said reference value of the server operation parameter.

14. (Previously Presented) The method of claim 9, wherein steps a1. and a2. are performed at a third rate, wherein the third rate is not lower than the first rate.

15. (Cancelled).

16. (Currently Amended) An overload manager device for use in a server system, having a service operating in response to input requests, and a server operation parameter related to the operation of said service, said device comprising:

- a monitoring function for evaluating successive values of the server operation parameter as a function of time;
- a first logic function capable of evaluating a first condition, which involves whether the server operation parameter passes a first threshold value in a first direction;
- a second logic function capable of evaluating a second condition, which involves whether the server operation parameter passes a second threshold value in a second direction, wherein the second condition includes determining that the second direction is opposite to the first direction, and extending from the first threshold value to the second threshold value; and
- a request supervisor operable for:
  - starting rejection of the input requests, upon verification of a third condition, ~~related to the verification of at least one of said first and second conditions,~~ wherein the third condition comprises (i) determining a predetermined grace period subsequent to verification of the first condition has elapsed, and (ii) determining the second condition has not been verified during said grace period; and
  - terminating rejection of the input requests upon verification of a fourth condition related to the verification of said second condition.

17. (Currently Amended) The device of claim 16, wherein ~~the third condition comprises the fact the first condition has been verified, and~~ the fourth condition comprises ~~the fact~~ determining the second condition has been verified.

18. (Currently Amended) The device of claim 16, wherein ~~the third condition comprises the fact the second condition has not been verified during a grace period after the first condition has been verified, and~~ the fourth condition comprises ~~the fact~~ determining the second condition has been verified after the third condition has been verified.

19. (Original) The device of claim 16, wherein the first logic function is operable at a first rate, and the second logic function is operable at a second rate not lower than the first rate.

20. (Original) The device of claim 19, wherein the second logic function is operable within a time interval starting upon verifying the first condition, and terminating upon verifying the fourth condition.

21. (Original) The device of claim 16, wherein said server operation parameter represents a quantity related to a memory usage in the server.

22. (Previously Presented) The device of claim 16, wherein said server operation parameter represents a quantity related to the server throughput and to the server latency and wherein the monitoring function is operable for deriving the server operation parameter from a given combination of the server throughput with the server latency.

23. (Cancelled).

24. (Previously Presented) The device of claim 22, further comprising a tracking function, said tracking function maintaining a reference value of the server throughput and a reference value of the server latency and being operable:

for updating the reference values upon verification of a fifth condition,  
comprising the fact that the current value of the server throughput does  
overlie its reference value; and

for deriving the first and second threshold values from a combination of the  
reference value of the server throughput with the reference value of the  
server latency, said combination being of the same type as said given  
combination.

25. (Previously Presented) The device as claimed in claim 22, wherein the server operation parameter is derived from the ratio of the server throughput to the reference

value of the server latency and the first and second threshold values are derived from the ratio of the reference value of the server throughput to the reference value of the server latency.

26. (Original) The device of claim 24, wherein the fifth condition further comprises the fact that the current value of the server latency does not overlie its reference value.

27. (Original) The device of claim 26, wherein the fifth condition further comprises the fact that the server requests queue length remains substantially constant.

28. (Previously Presented) The device as claimed in any of claim 24, wherein the tracking function is operable at a third rate, wherein the third rate is not lower than the first rate.

29. (Cancelled).

30. (Original) The device of claim 16, comprising an overload manager object, having filter methods capable of implementing said request supervisor, a gauge monitor and further methods capable of implementing the monitoring function, the first logic function and the second logic function in cooperation with said gauge monitor.

31. (Previously Presented) The device of claim 30, wherein the overload manager object, the gauge monitor and the further methods are instantiated from at least one generic class.

32. (Original) The device of claim 31, wherein the overload manager object comprises at least one MBean.

33. (Original) The device of claim 21, comprising an overload manager object related to a memory usage in the server.

34. (Original) The device of claim 22, comprising an overload manager object related to the server throughput and to the server latency.

35. (Currently Amended) A portal server having:
- an overload manager device;
  - a service operating in response to input requests; and
  - a server operation parameter related to the operation of said service;
- wherein said device comprises:
- a monitoring function for evaluating successive values of the server operation parameter as a function of time;
  - a first logic function capable of evaluating a first condition, which involves whether the server operation parameter passes a first threshold value in a first direction;
  - a second logic function capable of evaluating a second condition, which involves whether the server operation parameter passes a second threshold value in a second direction, wherein the second condition includes determining that the second direction is opposite to the first direction, and extending from the first threshold value to the second threshold value; and
  - a request supervisor operable for:
    - starting rejection of input requests, upon verification of a third condition, ~~related to the verification of at least one of said first and second conditions~~, wherein the third condition comprises (i) determining a predetermined grace period subsequent to verification of the first condition has elapsed, and (ii) determining the second condition has not been verified during said grace period; and
    - terminating rejection of the input requests upon verification of a fourth condition related to the verification of said second condition; and
- wherein said server operation parameter represents a quantity related to a memory usage in the server.

36. (Currently Amended) A computer readable storage medium including program instructions executable to implement a method of managing overload in a server system, having a service operating in response to input requests, and a server operation parameter related to the operation of said service, the method comprising the steps of:

- a. monitoring successive values of the server operation parameter as a function of time,
- b. from such values,
  - b1. evaluating a first condition, which involves whether the server operation parameter passes a first threshold value in a first direction, and
  - b2. evaluating a second condition, which involves whether the server operation parameter passes a second threshold value in a second direction, wherein the second condition includes determining that the second direction is opposite to the first direction, and extending from the first threshold value to the second threshold value,
- c. starting rejection of input requests, upon verification of a third condition, ~~related to the verification of at least one of said first and second conditions, wherein the third condition comprises (i) determining a predetermined grace period subsequent to verification of the first condition has elapsed, and (ii) determining the second condition has not been verified during said grace period,~~ and
- d. terminating rejection of input requests upon verification of a fourth condition, related to the verification of said second condition.

37. (Currently Amended) An overload manager device for use in a server system, having a service operating in response to input requests, and a server operation parameter related to the operation of said service, wherein said device is configured to:

compare values of the server operation parameter to a first threshold value;

in response to detecting that the server operation parameter has passed the first threshold value in a first direction:



compare values of the server operation parameter to a second threshold value, wherein the second threshold value is different from the first threshold value;

start rejection of input requests, upon determining:

a predetermined grace period subsequent to detecting the server operation parameter has passed the first threshold value in a first direction has elapsed; and

determining a second condition has not been verified during said grace period, the second condition involving determining whether the server operation parameter passes a second threshold value in a second direction, wherein the second condition includes determining that the second direction is opposite to the first direction;

~~start rejection of input requests in response to detecting the server operation parameter has not passed the second threshold value in a direction opposite the first direction during a grace period; and~~

terminate rejection of input requests in response to detecting the server operation parameter has passed the second threshold value in a direction opposite the first direction during the grace period.

38. (Previously Presented) The device of claim 37, wherein said server operation parameter represents a quantity related to a memory usage in the server.

39. (Previously Presented) The method of claim 37, further comprising deriving the server operation parameter from a given combination of a server throughput with a server latency.